



New England Fishery Management Council

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DRAFT MEETING SUMMARY

Atlantic Herring Committee NOAA Fisheries/GARFO, Gloucester, MA & Webinar May 21, 2026

The Atlantic Herring Committee (Committee) met on May 21, 2026, at 10:30 am in Gloucester, MA and via webinar to discuss: recommendations from the Advisory Panel; a 2026 action to include Atlantic herring specifications for 2027-2031, river herring and shad management measures, and other measures; recommendations to the Council, as appropriate; and other business, as necessary.

MEETING ATTENDANCE: Peter Whelan (Chair), Terry Alexander, Greg Hueth (MAFMC), Toni Kerns (ASMFC), Bill Lucey, Scott Olszewski, Robert Ruhle (MAFMC), Geoff Smith, Melissa Smith, Renee Zobel (Committee members); Zack Klyver (Advisory Panel Vice-Chair); Dr. Jamie Cournane, Emily Bodell (NEFMC Staff); Carrie Nordeen, Alli Murphy (NMFS GARFO Staff); Mitch MacDonald (NOAA GC). In addition, about 21 other people attended.

KEY OUTCOMES

- The Committee received updates on and discussed Plan Development Team (PDT) work on the 2026 management action, including potential draft alternatives for some of the management measures as well as an update on PDT tasking related to river herring and shad.
- Regarding the Atlantic herring specifications process, the Committee recommended that the PDT continue to develop draft alternative 2, "Update the Specifications Process: Revise to make the process regulations less prescriptive".
- Regarding the specifications items, the Committee tasked the PDT to include an alternative that would increase the fixed-gear set-aside from 30 to 45 MT, and to preliminarily set border transfer, research set-aside, and US at-sea processing to zero.
- Regarding carryover, the Committee tasked the PDT to develop alternatives for carryover including a no action item and an item to allow for improved flexibility.

The Committee Chair opened the meeting at 10:30 am and announced that the Herring AP Chair resigned, so the Vice-Chair will be providing the AP report. There were no changes to the agenda.

AGENDA ITEM #1: MANAGEMENT UPDATES

Council staff provided various management updates, including recent quota monitoring data for the Atlantic herring fishery, river herring and shad catch caps, and Georges Bank and Gulf of Maine haddock catch caps. They also reviewed the effort controls set for Area 1A by the Atlantic States Marine Fisheries Commission. A Committee member stated that there is fishing underway in the Area 1A fixed gear set-aside fishery. Being able to harvest around this time is fairly average.

AGENDA ITEM #2: ADVISORY PANEL REPORT

The Herring AP Vice-Chair provided an overview of the Atlantic Herring Advisory Panel meeting on May 20. A Committee member asked if there were any recommendations on how to improve the changes of implementing specifications on time. The AP Vice-Chair stated that there were some differences of opinions on the AP, with some supporting separating specifications from the rest of the action while others thought it was appropriate to keep specifications in the 2026 management action. An Advisor present supported a streamlined specifications package, with as few changes as possible to move specifications forward.

AGENDA ITEM #3: UPDATE FROM PDT ON 2026 MANAGEMENT ACTION

Herring outlook by quarter, overview of management track assessment, action timeline

Staff reviewed the herring outlook by quarter, the proposed plan for the herring management track stock assessment, and a draft timeline for the 2026 action. A Committee member asked if the potential river herring and shad actions are frameworkable items or would require an amendment. Council staff explained that some items can be accomplished via a framework, while others would require an amendment. Another Committee member was concerned about the potential timeline and the amount of work to be done in the draft action. They suggested considering separating the specifications from the rest of the action. Staff acknowledged that the timeline is challenging, and stated that if the specifications were separated out, it would likely follow a similar timeline as in years past (September final action), while other measures could be considered at a later meeting. The Atlantic herring stock assessment will be peer-reviewed after the June Council meeting and will inform the development of specifications. The Council could initiate a framework in June and switch the action to an amendment if necessary. Implementing time/area closures may require an amendment depending on how the intention of the action relates to existing goals in the FMP.

Council staff noted that the Scientific and Statistical Committee (SSC) will convene a sub-panel to review the river herring and shad management measures in August which could lead to some additional work based on the feedback received. A Committee member asked about the possibility of the 2027 specifications currently in place being effective on January 1, then being replaced by the updated specifications from the 2026 action when available. Council and GARFO staff stated that while the Council did make a recommendation for 2027 specifications, it may be difficult to reaffirm those recommendations if new information is available indicating that the specifications should be changed.

Public Comment:

- **Elizabeth Etrie (Conservation Law Foundation)** – noted that there were concerns about moving river herring and shad management measures into the action during the Council’s 2026 priorities discussion, and CLF raised concerns about accomplishing everything in one action. For transparency, there needs to be a robust understanding if a decision is made to separate the action. Ms. Etrie asked if a new river herring and shad action with a new goal or objective would have to be redebated in the 2027 priorities discussion, or if it would be an existing priority that would carry over. Council staff stated that even if it was possible to meet the timeline, the action may not be implemented by the target date of January 1 as there would be some staff/PDT work to complete after final action is taken in September to submit the document. The Council has a 2026 priority to work on an action on the topic this year. Ms. Etrie recommended communicating this to the public, potentially at the June 8 meeting.
- **Jeff Kaelin (Lunds Fisheries, Herring Advisory Panel)** – felt that it was unfair to implement river herring and shad time/area closures, stating that the RHAPCAST project has not been evaluated and there is nowhere to fish in Area 2. Mr. Kaelin also was unsure that these measures could be implemented via a framework item.
- **Mary Beth Tooley (O’Hara Corporation, Herring Advisory Panel)** – stated that having the specifications in place as early as possible is important. The O’Hara Corporation has a large bait

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operation, but their boats have been tied to the dock in the past couple of years with the low quotas. It is a huge effort for vessels to get underway, and the new assessment information and specifications are necessary to make an informed decision. If new specifications are not implemented until March, the fleet will lose the winter herring fishery, which also impacts the mackerel fishery. If quotas increase, the fleet needs to have that fish available.

Herring specifications process; Herring specifications for 2027-2031

Council staff reviewed prior PDT and AP discussions on, and some initial draft alternatives related to, the herring specifications process and values for 2027-2031. A Committee member was interested in proposing an increase to the fixed-gear set-aside in Area 1A, noting that the harvest in the fishery has been consistent and has been bumping up against the 30 MT set-aside.

Carryover

Council staff shared draft options for potential carryover provisions developed by the PDT. A Committee member asked about the differences between carrying out options 2 (flexible option) and 3 (stock status based). Council staff stated that option 3 would be automatic, and would be added to the existing conditions, while option 2 would require the Council to signal to NOAA if they wanted to suspend carryover. The options could be written such that options 2 and 3 could be selected. A Committee member was in favor of the range of options presented but was unsure of how the Council might determine whether carryover would occur. Council staff thought that this process could include a PDT review of preliminary data, which can be discussed by the AP and Committee, which would flag any issues for the Council. NOAA Fisheries could also review the data and alert the Council. The Council makes recommendations to the agency, so NOAA Fisheries would make final determinations. The Committee discussed a couple of items that could be considered in option 2, including stock status and whether applying carryover to all areas would lead to early closures of some areas. A Committee member asked industry if, in a scenario where carryover is only available for a management area that has not been utilizing its sub-ACL, they would want the carryover. An Advisor felt it could be worth exploring.

Public Comment

- **Mary Beth Tooley** – felt that option 3 was confusing. The description makes it sound like because the fishery is overfished, catch has to be reduced, but carryover does not increase or decrease the ACL. There have been issues when a lower quota is coming in that the fleet has managed internally, so having a more flexible approach would be helpful. Ms. Tooley recommended keeping options 1 and 2 for further exploration.

River herring and shad management measures

Council staff provided an update on PDT tasking related to river herring and shad management measures. A Committee member asked about the observer sampling methods, and if the PDT discussed portside sampling instead of sampling at sea. Observers use a sub-sampling approach to determine bycatch. Staff stated that the PDT did not discuss the tradeoffs of portside versus at-sea sampling but may be able to provide some data summaries on the topic. Another Committee member asked about increasing observer coverage through SBRM. Council staff pointed out that there is a three-year review of SBRM occurring this year which could look at the distribution of coverage. The SBRM year does not align with the herring fishing year, which creates a challenge as the winter herring fishery occurs towards the end of the SBRM year. A Committee member noted that past actions have explored the tradeoffs between portside and at-sea sampling and looked into adding portside sampling to supplement low observer coverage. There was support for electronic monitoring as well.

Public Comment

- **Jeff Kaelin** – stated that some vessels may still have cameras onboard, which were used for looking at species composition. One challenge with electronic monitoring is the data analysis,

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which can be costly and time consuming. Mr. Kaelin asked if the PDT has looked at dealer data (SAFIS reporting) to see what is reported during herring fishing times, and if bycatch rates in the PDT table were extrapolated from observer reports. While there has not been much herring fishing activity in the Mid-Atlantic in recent years but records would show if there were river herring caught.

- **Mary Beth Tooley** – noted that the EM program was implemented under the industry-funded monitoring amendment and included shoreside sampling that could be verified through EM. There was an RSA project that included SBRM coverage at sea, a shoreside sampling program, and an avoidance program. The industry was supportive of the avoidance program as it was effective and close to real-time, but herring RSA has not been funded in some time.
- **Gerry O'Neill (F/V Endeavor, Herring Advisory Panel)** – stated that the EM program was successful but it was primarily to determine whether slippage was occurring. The river herring and shad avoidance program worked well for years, allowing the fleet to stay under river herring catch caps and prosecute the mackerel fishery.

A Committee member described the Maine Department of Marine Resources portside sampling program, noting that the program used to sample from Maine to New Jersey but is no longer funded, and suggested that it might be helpful to consider the different avenues for data collection. The overlap between the mackerel and herring fishery can make it challenging to understand fleet dynamics, and there are different catch caps/ strategies for river herring and shad bycatch. Another Committee member shared that New Hampshire Fish and Game is working on machine learning to speciate alewife and blueback herring in video collected in river runs. A Committee member stated that a dynamic catch cap would provide the most focused benefits, and there is a good understanding of where potential hotspots are based on recent genetic and other work but knowing the composition of bycatch in these areas is important. They suggested that a time/area closure could have a dynamic catch cap associated with it; in areas where the genetic research is showing that bycatch is coming from weaker runs, closures and/or catch caps could take fishing pressure off to reduce stress on the population. Council staff shared some scenarios from groundfish management, noting that the in-season nature of herring accountability measures can be challenging. Accountability measures could be implemented in subsequent years, and time/area closures could be triggered when needed.

AGENDA ITEM #4: DEVELOP RECOMMENDATIONS TO COUNCIL

Specifications process

CONSENSUS STATEMENT 1: For the Plan Development Team to continue to develop Alternative 2 in the Atlantic herring specifications process section as outlined in the presentation to the Committee today. “Alternative 2: Update the Specifications Process: Revise to make the process regulations less prescriptive”

Discussion: The Committee clarified the consensus statement to concur with the PDT and AP recommendations to leave all specifications items in the action.

Specifications items

1. MOTION: M. SMITH/ZOBEL

Move to task the Plan Development Team to include an alternative to increase the Fixed Gear Set-Aside from 30 mt to 45 mt.

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Rationale: The Fixed Gear Set Aside has been set to 30 mt since 2018. This fishery has been utilized successfully and provides access to biological sampling for herring as well.

Discussion: The maker of the motion offered some additional rationale, stating that the fixed gear fishery has been operating in recent years despite lower quotas for the fishery overall. The set-aside was decreased in 2018 when herring quotas declined and has reached the 30 mt limit in recent years. While the fixed gear set-aside is not a large population of the fishery, it is important to the state of Maine. Increasing the set-aside recognizes the capacity of the fishery, and could extend the catch window, which may also allow for more biological samples to be taken. The potential 15 mt increase, around ~33,000 lb, would extend the season by around 2 weeks. State regulations include a weekly catch limit of 25,000 lb per week. This could alleviate bait pressure in the spring. A few Committee members were supportive of analyzing a potential increase. Another Committee member asked if there was industry support for increasing the set-aside given it comes out of the Area 1A sub-ACL. The maker of the motion explained that there is support from the fixed gear set-aside fishery, and the purse seine industry is generally supportive of allowing families to maintain access to the fishery. The potential increase, which could be lower if appropriate, equates to the catch on roughly one purse seine trip.

MOTION 1 CARRIED BY CONSENSUS AND WITHOUT OBJECTION.

CONSENSUS STATEMENT 2: Move to preliminarily set border transfer, research set-aside, and US at-sea processing to zero.

Discussion: There was some discussion about being able to have herring RSA funding if appropriate, so the Committee adjusted the consensus statement language. There will be an opportunity to revisit these values if needed.

Carryover

2. MOTION: M. SMITH/LUCEY

Move to task the PDT to develop alternatives for carryover that include a no action item and an item to allow for improved flexibility such that the Council could recommend annual changes dependent on best available data from the fishery.

Rationale: Scenarios for carryover may change from year to year depending on how the fishery is operating. Transitioning this provision towards annual review and confirmation would improve flexibility in the fishery. For example, recommend carryover when it would not negatively impact another herring management area (HMA), or recommend to nullify carryover if it would not be utilized by an HMA.

Discussion: The Committee discussed how carryover implemented in one herring management area could impact other management areas, particularly in a scenario where the overall ACL is relatively low. The maker of the motion clarified that they supported developing options 1 and 2 outlined in the meeting materials, with the addition of being able to recommend nullifying carryover in particular management areas as appropriate. NOAA General Counsel stated that the Regional Administrator would have discretion to ensure that the application is consistent. The Council could do this through an in-season action. The maker of the motion also supported examining carryover annually.

Public Comment:

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- **Jeff Kaelin** – provided some wordsmithing suggestions to clarify the intent of the motion and felt that the motion was somewhat complex. Not having carryover penalizes management areas, when it is largely the same fleet fishing in each area.
- **Suzannah Raber (F/V Providian, Herring Advisory Panel)** – provided the example of Area 2 receiving carryover, noting that because the area is generally underutilized, adding sub-ACL to Area 1A would not be impacted. The maker of the motion explained that they were considering situations where, if carryover would not be utilized, it might be appropriate not to process the carryover.

MOTION 2 CARRIED BY CONSENSUS AND WITHOUT OBJECTION.

Additional Discussion

A Committee member asked how fishing activity from vessels participating in the mackerel and herring fisheries is evaluated, pointing out that though these fisheries are often prosecuted together, there are inconsistencies between the FMPs. It may be appropriate to consider both fisheries more holistically in this process because they are closely tied. Council staff stated that while there are participants from the Mid-Atlantic Council and ASMFC on the Herring AP, Committee, and PDT, this action is not joint. Mid-Atlantic Council staff noted that the Councils had considered alignment in the past, discussing a gear-based cap, though the Councils would have to set the same cap and at the time used slightly different methods for determining the caps. The catch caps cannot be summed across fisheries as they are double-counting some river herring and shad catch.

Public Comment:

- **Gerry O'Neill** – stated that it is difficult to figure out how the numbers work when participating in both fisheries. Vessels must declare trips for herring and mackerel, and the qualifying catch amounts differ for the different species. Even when looking at river herring catch in both fisheries as the season progresses, it is difficult to know where the biggest risk is. Because the same boats are prosecuting both fisheries, when one fishery is shut down, it effectively shuts down the other as well.
- **Jeff Kaelin** – noted that SBRM days are allocated by gear type and fleet, so if there are more herring midwater trawl observers, it would benefit both fisheries.

A Committee member felt like the 2026 management action may not be the best vehicle to explore co-management. Another Committee member pointed out that when the Council took action to set the catch caps, the PDT completed many analyses, and the PDT may dig into the overlaps between the fisheries.

AGENDA ITEM #5: OTHER BUSINESS

Council staff noted that the Executive Committee will discuss the correspondence from the NOAA Assistant Administrator for Fisheries regarding the herring industry-funded amendment at its June 9 meeting, and the Council will cover the topic at the June Council meeting (June 23-25).

With no other business, the Herring Committee meeting adjourned at approximately 3:10 pm.